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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,323	06/14/2001	Zon-Yin Shae	YOR920010333US1	7149
7590 12/30/2005 Ryan, Mason & Lewis, LLP 1300 Post Road, Suite 205 Fairfield, CT 06430			EXAMINER CHANG, RICHARD	
			ART UNIT 2663	PAPER NUMBER

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	Applicant(s)	
09/881,323	SHAE ET AL.	
Examiner	Art Unit	
Richard Chang	2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) 25-29, 40-44 and 55-59 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-24, 38, 39, 53 and 54 is/are allowed.
- 6) ☒ Claim(s) 1-16, 18, 30-37 and 45-52 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06/14/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Applicant's election with traverse of restriction in the reply filed on 10/7/2005 is acknowledged. The traversal is on the ground(s) that an examination of both Groups would not impose a serious burden on the Examiner. This is not found persuasive because invention group I and invention group II are distinct from the other as invention group I drawn to the evolving media content being periodic broadcasted for digital media content (see page 7, lines 4-8) and as invention group II drawn to the definition of a data structure to support general techniques for quickly accessing the data structure (see page 26, lines 9-17) and invention group II has separate utility from invention group I such as general data structure descriptor definition.

Invention group I is elected by applicant's alternative for examination and Invention group II is withdrawn from further examination.

### ***Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-16, 18, 30-37 and 45-52 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by US patent application publication No. US 2002/0157103 A1 ("Song et al.").

Regarding claim 1, Song et al. teach a method for periodically broadcasting media content (method for digital media playback in a broadcast network), the method comprising of

creating a plurality of levels (dividing into segments) for the media content (multimedia presentation), and

periodically transmitting (in periodic transmission process) each level (segments) (See Fig. 1, page 2, paragraph [0011-0013]).

Regarding claims 13 and 15-16, Song et al. further teach a plurality of units (audio or video), the step of creating further comprises processing each unit (audio or video) into a plurality of levels (segments), and the step of periodically transmitting further comprises the step of interleaving levels (scheduling broadcast table) from each (audio or video) unit into an output stream (See Fig. 7, page 6-7, paragraph [0087-0095]).

Regarding claims 30-31 and 45-46, Song et al. further teach that a memory that stores computer-readable code; and a processor operatively coupled to the memory, the processor configured to implement the computer-readable code, the computer-readable code (presented in terms of algorithms and symbolic representations of operations on data within a computer and readable code in computer memory) (See Fig. 1, page 3, paragraph [0029]).

Regarding claims 2-8, 32 and 47, Song et al. further teach that when periodically transmitting, a step to periodically transmit each level of importance (based on priority of the segments) (See Fig. 1, page 2, paragraph [0014]).

Regarding claims 9, 33 and 48, Song et al. further teach that the media content comprises one or more of stroke data, video, audio, text, images, a slide sequence, a three-dimensional sequence, and an animation (digital media content with at least video stream) (See page 4, paragraph [0049]).

Regarding claims 10-11, 34-35 and 49-50, Song et al. further teach a step to assign a higher bandwidth to the one level than is assigned to the other level (assigning  $m$  channels equivalent  $m$  times single channel bandwidth) (See Fig. 3, page 4-5, paragraph [0058-0060]).

Regarding claims 12, 14, 36 and 51, Song et al. further teach a step to assign a minimum latency for each of the levels, and a step to determine a bandwidth for each level of detail by using a corresponding one of the minimum latencies (determines a best feasible gap) (See page 8, paragraph [0127-0130]).

Regarding claims 18, 37 and 52, Song et al. further teach a step to receive each of the levels, and a step to display some of the levels through the following steps: a step to select some of the plurality of levels to display; and a step to reconstruct part or all of the media content by combining the selected (play back at receiver side) (See page 3-4, paragraph [0047-0049]).

***Allowable Subject Matter***

4. Claims 19-24, 38-39 and 53-54 are allowed.

5. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if no art rejection can be applied.

***Reason for indicating Allowable Subject Matter***

6. The following is a statement of reasons for the indication of allowable subject matter: The prior art along or in combination fails to teach or make obvious the following limitations:

“for each of a plurality of levels of detail, determining predicted stroke data from the original stroke data; and periodically transmitting the predicted stroke data for each level of detail” as recited in the independent claims 19, 38 and 53, and “divisible units comprises stroke data determined from a whiteboard at a certain time” as recited in the dependent claim 17.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chang whose telephone number is (571) 272-3129. The examiner can normally be reached on Monday - Friday from 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2663

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*rc*  
rkc

Richard Chang  
Patent Examiner  
Art Unit 2663

*[Signature]*  
12/22/05  
DERRICK FERRIS  
PATENT EXAMINER